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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,034	03/11/2004	Takashi Tadaki	8008-1051	4656
<small>465 7590 01/08/2009</small> YOUNG & THOMPSON 209 Madison Street Suite 500 ALEXANDRIA, VA 22314			EXAMINER NGUYEN, LUONG TRUNG	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 01/08/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/797,034

Applicant(s)

TADAKI, TAKASHI

Examiner

LUONG T. NGUYEN

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2008.
2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3,5,6 and 10-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 2,3,5,6,10-18 is/are allowed.
6) ☐ Claim(s) _____ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 10, 13, 16 are objected to because of the following informalities:

It should be noted that the specification lacks antecedent basis for limitation "a computer-readable medium," instead, the specification, page 6, lines 10-16 discloses that "the recording medium 16 stores a program." Therefore,

Claim 10 (line 2), "A computer-readable medium for storing a program" should be changed to --A recording medium for storing a program--.

Claim 13 (line 2), "A computer-readable medium for storing a program" should be changed to --A recording medium for storing a program--.

Claim 16 (line 2), "A computer-readable medium for storing a program" should be changed to --A recording medium for storing a program--.

Appropriate correction is required.

Allowable Subject Matter

2. Claims 2, 3, 5, 6, 10-18 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 3, 6, the prior art of the record fails to show or fairly suggest a portable terminal device as recited in claim 3 or a method for varying light illuminance of a portable terminal camera device as recited in claim 6, comprising wherein the illuminance variable

section further varies the illuminance intensity output for photography of the light module in accordance with information on the image processing immediately preceding taken image.

Claim 2 is allowed for the reasons given in claim 3.

Claim 5 is allowed for the reasons given in claim 6.

Regarding claims 11, 12, 10, the prior art of the record fails to show or fairly suggest a portable terminal device as recited in claim 11 or a method for varying light illuminance of a portable terminal camera device as recited in claim 12 or a recording medium storing a program of instructions executable by a computer to control the computer to function for varying light illuminance intensity output from a portable terminal device as recited in claim 10, comprising wherein the illuminance variable section further varies the illuminance intensity output during photo exposure in accordance with information on the image processing, said information including shades and outlines of an image to be photographed.

Regarding claims 14, 15, 13, the prior art of the record fails to show or fairly suggest a portable terminal device as recited in claim 14 or a method for varying light illuminance of a portable terminal camera device as recited in claim 15 or a recording medium storing a program of instructions executable by a computer to control the computer to function for varying light illuminance intensity output from a portable terminal device as recited in claim 13, comprising wherein the illuminance variable section further varies the illuminance intensity output during photo exposure in accordance with information on the image processing, said information including edge detection of an image to be photographed.

Regarding claims 17, 18, 16, the prior art of the record fails to show or fairly suggest a portable terminal device as recited in claim 17 or a method for varying light illuminance of a portable terminal camera device as recited in claim 18 or a recording medium storing a program of instructions executable by a computer to control the computer to function for varying light illuminance intensity output from a portable terminal device as recited in claim 16, comprising wherein the illuminance variable section further varies the illuminance intensity output during photo exposure in accordance with information on the image processing, said information including cluster comparison of an image to be photographed.

Conclusion

3. This application is in condition for allowance except for the objections of claims 10, 13, 16 as indicated above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571)272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David L. Ometz/
Supervisory Patent Examiner, Art Unit
2622

/L. T. N./
01/03/09